

In re: Sandeep Chennakeshu  
Serial No.: 10/655,422  
Filed: September 9, 2006  
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### **REMARKS**

The Applicant sincerely appreciates the thorough examination of the above referenced application as evidenced by the Office Action of November 6, 2006 (the Office Action). In response, the Applicant has amended Claim 10 to depend from Claim 9, and the Applicant has added new dependent Claims 36-37. The Applicant also submits herewith a Declaration pursuant to 37 CFR 1.131 establishing conception before March 4, 2003, coupled with diligence till filing of the U.S. provisional application from which the present application claims priority.

In the following remarks, the Applicant will show that all claims are patentable. Accordingly, the Applicant requests a Notice of Allowance in due course.

### **All Claim Objections Have Been Overcome**

The Office Action has objected to Claim 10, stating that Claim 10 should depend from Claim 1 (and not from Claim 13). In response, the Applicant has amended Claim 10 to depend from Claim 9 (which provides antecedent basis for the term "the local display"). Accordingly, all claim objections have been overcome.

### **All Rejections Under 35 U.S.C. Sec. 112 Have Been Overcome**

The Office Action has rejected Claims 3, 12, 20, 27, 31, and 33 under 35 U.S.C. Sec. 112, second paragraph, stating that the use of trademark name "Bluetooth" is improper. In response, the Applicant notes that the Manual Of Patent Examining Procedure states that:

if the product to which the trademark refers is set forth in such language that its identity is clear, the examiners are authorized to permit the use of the trademark if it is distinguished from common descriptive nouns by capitalization. If the trademark has a fixed and definite meaning, it constitutes sufficient identification unless some physical or chemical characteristic of the article or material is involved in the invention. In that event, as also in those cases where the trademark has no fixed and definite meaning, identification by scientific or other explanatory language is necessary. *In re Gebauer-Fuelnegg*, 121 F.2d 505, 50 USPQ 125 (CCPA 1941). (Underline added.)

MPEP, Sec. 608.01(v)(I).

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As set forth in the reference by Sailesh Rathi entitled "Blue Tooth Protocol Architecture" (Dedicated Systems Magazine, 2000, Q4, <http://www.dedicated-systems.com>), "Bluetooth is an open specification for a radio system...." Rathi, Abstract. As used in Claims 3, 12, 20, 27, 31, and 33, the term "Bluetooth" has a fixed and definite meaning, and the term "Bluetooth" has been capitalized at each occurrence thereof in the claims. Accordingly, all requirements from the MPEP have been satisfied for use of the term "Bluetooth" in Claims 3, 12, 20, 27, 31, and 33, and withdrawal of all rejections under 35 U.S.C. Sec. 112 is respectfully requested.

The Rathi reference was submitted by the Applicant with the Information Disclosure Statement (IDS) filed September 4, 2003. As noted above, copies of the IDS filed September 4, 2003, and the Rathi reference are attached.

**Withdrawal Of All Art Rejections Is Respectfully Requested**

Claims 1-3, 5-6, 8-12, 14, 16-17, 19-33, and 35 have been rejected under 35 U.S.C. Sec. 102(e) as being anticipated by U.S. Patent Publication No. 2003/0169287 to Liu ("Liu"). In addition, Claims 4, 13, and 34 have been rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over Liu in view of U.S. Patent No. 6,097,441 to Allport ("Allport"). Moreover, Claims 7, 15, and 18 have been rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over Liu in view of European Publication No. EP 0 710 017 to Minett ("Minett").

Accordingly, Liu is the primary reference used for all art rejections presented in the Office Action. Liu, however, is not prior art with respect to the present application for the reasons set forth in the attached Declaration (pursuant to 37 CFR 1.131).

In particular, Liu is effective as a prior art reference as of its U.S. filing date, March 4, 2003. The Applicant's present application claims priority from U.S. Provisional Application No. 60/453,443 having a filing date of March 10, 2003, and the Applicant has established conception prior to March 4, 2003, coupled with diligence till filing on March 10, 2003, as set forth in the attached Declaration (pursuant to 37 CFR 1.131). Accordingly, Liu is not prior art with respect to the present application.

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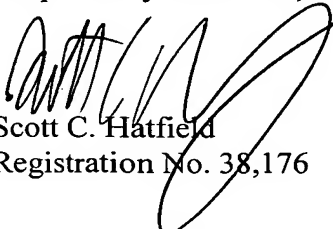
forth in the attached Declaration (pursuant to 37 CFR 1.131). Accordingly, Liu is not prior art with respect to the present application.

Because Liu is not prior art with respect to the present application, the Applicant respectfully requests withdrawal of all prior art rejections and allowance of all claims. The Applicant respectfully requests that the Examiner contact the undersigned attorney if any additional issues regarding the art rejections and/or the Declaration should need to be addressed.

### CONCLUSION

Accordingly, the Applicants submit that all pending claims in the present application are in condition for allowance, and a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact the undersigned attorney by telephone should any additional issues need to be addressed.

Respectfully submitted,

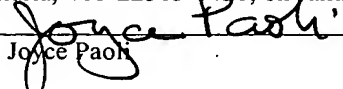


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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-450, on January 9, 2007.

Signature:   
Joyce Paoh